

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)
) EDTN Arresting Dist No. 1:21-mj-34-SKL
 v.) Dist. of Columbia Charging Dist.
) No. 1:21-mj-0252 Judge Faruqui, Zia M.
JOSEPH LINO PADILLA)

MEMORANDUM AND ORDER

The defendant appeared for a hearing before the undersigned on February 23, 2021, in accordance with Rules 5 and 5.1 of the Federal Rules of Criminal Procedure for an initial appearance of the defendant on an arrest warrant and criminal complaint out of the U.S.D.C., District of Columbia. Those present for the hearing included:

- (1) AUSA Kyle Wilson for the USA.
- (2) The defendant, JOSEPH LINO PADILLA.
- (3) Attorney Charles L. Davis as retained counsel for defendant.

After being sworn in due form of law, the defendant was informed or reminded of his privilege against self-incrimination accorded him under the 5th Amendment to the United States Constitution. Attorney Davis made a limited appearance as retained counsel in the arresting district for Federal Rules of Criminal Procedure 5 and 5.1 proceedings.

The defendant had been provided with a copy of the arrest warrant and criminal complaint and attached affidavit and had the opportunity of reviewing those documents with his attorney. It was determined defendant was capable of being able to read and understand the aforesaid documents he had been provided.

AUSA Wilson moved that defendant be detained without bail pending a detention hearing. The defendant waived any detention hearing, and preliminary hearing in this district, and asked that his hearings and any further proceedings be held in the U.S. District Court, District of Columbia.

The defendant was advised of his rights pursuant to Rule 20 of the Federal Rules of Criminal Procedure. After consulting with his counsel, Defendant asked that he be transferred to the District of Columbia, the charging district.

It is ORDERED:

- (1) Defendant shall be **TEMPORARILY DETAINED** pending his transfer to the U.S. District Court, District of Columbia as set forth in the Order of Temporary

Detention Pending Hearing Pursuant to Bail Reform Act.

(2) The U.S. Marshals Service shall transport defendant to the U.S. District Court, District of Columbia for a hearing on a date to be determined once defendant is in said district.

SO ORDERED.

ENTER:

s/ *Susan K. Lee*

SUSAN K. LEE
UNITED STATES MAGISTRATE JUDGE